

**LYNCHBURG CITY COUNCIL
Agenda Item Summary**

MEETING DATE: **January 11, 2005**

AGENDA ITEM NO.: 15

CONSENT:

REGULAR: **X**

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Street Dedication Request – Extension of Bradley Drive**

RECOMMENDATION: Approval of resolution to approve the street dedication request

SUMMARY: Land Group, II, represented by John R. Thornhill, Jr., President of Modern Buildings, Inc., is requesting to dedicate 0.254 acres for right-of-way for the proposed extension of Bradley Drive, an existing public street off Mayflower Drive. The proposed street would extend Bradley Drive, with sixty (60) feet of right-of-way, in a southeasterly direction for approximately 200 feet to its terminus at property owned by Land Group II.

PRIOR ACTION(S):

December 22, 2004: Planning Division recommended approval
Planning Commission recommended approval (6-0 with 1 absent)

FISCAL IMPACT: N/A

CONTACT(S):

Rachel Flynn/455-3902
Tom Martin / 455-3909
Annette Chenault / 455-3894

ATTACHMENT(S):

- Resolution
- PC Report
- PC minutes
- Vicinity Map – This attachment may be viewed in the office of the City Planner, 2nd Floor, 900 Church Street, City Hall, Lynchburg VA

REVIEWED BY: lkp

RESOLUTION

A RESOLUTION ACCEPTING THE DEDICATION OF RIGHT-OF-WAY FOR THE EXTENSION OF AN EXISTING PUBLIC STREET.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that approval and acceptance is given for the dedication of the public street extension of Bradley Drive, right of way 60 feet in width for a distance of approximately 200 feet which shall be constructed in substantial compliance with a plat made by Boundaries Unlimited Woodson Surveying which plat has a revised date of November 24, 2004. The dedication and acceptance of the extension of Bradley Drive as a public street is contingent upon Land Group II filing a properly executed subdivision plat to be recorded among the land records in the Clerk's Office of the Circuit Court for the City of Lynchburg, the filing of approved street and utility plans, obtaining the necessary construction bonds, and the construction of the street in accordance with City standards.

Adopted:

Certified:

Clerk of Council

008L

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 434-455-3900

To: Planning Commission
From: Planning Division
Date: December 22, 2004
Re: **STREET DEDICATION REQUEST – EXTENSION OF BRADLEY DRIVE**

I. PETITIONER

Land Group II, C/O Roger Thornhill, P. O. Box 1197, Lynchburg, VA 24505

Representative: Mr. John R. Thornhill, Jr., President of Modern Buildings, Inc., P. O. Box 1197, Lynchburg, VA 24505

II. LOCATION

The subject property is a proposed new lot containing 2.924 acres located at the end of Bradley Drive, off Mayflower Drive in the First Lynchburg Industrial Park.

Property Owner: Land Group II, C/O Roger Thornhill, P. O. Box 1197, Lynchburg, VA 24505

III. PURPOSE

The purpose of this petition is to dedicate 0.254 acres for right-of-way for the proposed public street extension of Bradley Drive, an existing public street off Mayflower Drive.

IV. SUMMARY

- Petition agrees with the Subdivision Ordinance requirements for subdividing the property according to the existing I-3 Heavy Industrial District zoning.
- Petition agrees with the Zoning Ordinance requirements for the street frontage extension.

The Planning Division recommends approval of the public street extension request.

V. FINDINGS OF FACT

1. **Background.** Land Group II, represented by John R. Thornhill, Jr., President of Modern Buildings, Inc., is requesting to dedicate an extension of Bradley Drive, an existing public street off Mayflower Drive. The proposed street would extend Bradley Drive, with sixty (60) feet of right-of-way, in a southeasterly direction for approximately 200 feet to its terminus at property owned by Land Group II.

There are two existing sections of Bradley Drive that do not currently connect—the subject section that extends from Mayflower Drive and the section that extends from Odd Fellows Road. With the proposed new extension, Bradley Drive would terminate approximately 400 feet short of the portion that extends from Odd Fellows Road. This extension of Bradley Drive would serve proposed Parcel 3, a new industrial site for Lyn Tool, Inc.

The last extension of Bradley Drive occurred in 1998 with a 160-foot extension from the Odd Fellows Road side to serve the Lynchburg City Schools property off John Capron Road.
2. **Zoning.** The existing I-3, Heavy Industrial District zoning was put in place in 1978 with the adoption of the current Zoning Ordinance.
3. **Waivers.** No waivers from the Subdivision Ordinance will be needed for the subdivision and street dedication request.
4. **Proposed Use of Property.** The purpose of the subdivision and street dedication are to create Parcel 3 for Lyn Tool, Inc.
5. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed a proposed plat showing the dedication of the Bradley Drive extension on November 16. The TRC noted the need for a few revisions, most of which are minor in nature and which are expected to be resolved by the petitioner prior to the approval of a final plat. The TRC had the following comment of significance to the consideration of the requested street extension:
 - “Public utilities will need to be extended to serve the subject property.”

VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the proceeding findings of fact, the Planning Commission recommends to City Council approval of the dedication of the public street extension of Bradley Drive, with sixty feet of right-of-way, approximately 200 feet in length, to be constructed in substantial compliance with the plat by Boundaries Unlimited Woodson Surveying, dated Revised November 24, 2004. The dedication of the extension of Bradley Drive and its acceptance as a public street is contingent on Land Group II filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the street in accordance with City standards. The failure to fully comply with these conditions shall render the City's acceptance of the extension of Bradley Drive as a public street null and void.

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. Bruce A. McNabb, Director of Public Works
Mr. R. Douglas Dejarnette, Fire Marshal
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Robert S. Fowler, Zoning Official
Mr. John R. Thornhill, Jr., Representative

VII. ATTACHMENTS

- 1. Plat Showing Division of Part of the Land Group II Property, "Parcel 3"**
(see attached plat by Boundaries Unlimited Woodson Surveying dated "Revised 11-24-04")

MINUTES FROM THE DECEMBER 22, 2004 PLANNING COMMISSION MEETING

These minutes have been reviewed by, but not approved by the Planning Commission

The purpose of this petition is to dedicate 0.254 acres for right-of-way for the proposed public street extension of Bradley Drive, an existing public street off Mayflower Drive.

Mr. Martin said this street extension and right-of-way dedication would allow the construction of a new industrial facility on the property. He said this petition would bring the two portions of Bradley Drive closer, so the Planning Division recommended approval of the petition.

Mr. John Thornhill, Modern Buildings, represented the petition. He said this request was to extend the public street to allow access to the parcel, with the intent of being developed in the industrial park. He said as the property was developed the street would be completed all of the way through.

After discussion Commissioner Worthington made the following motion, which was seconded by Commissioner Flint and passed by the following vote:

"That the Planning Commission recommends to City Council approval of the dedication of the public street extension of Bradley Drive, with sixty feet of right-of-way, approximately 200 feet in length, to be constructed in substantial compliance with the plat by Boundaries Unlimited Woodson Surveying, dated Revised November 24, 2004. The dedication of the extension of Bradley Drive and its acceptance as a public street is contingent on Land Group II filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the street in accordance with City standards. The failure to fully comply with these conditions shall render the City's acceptance of the extension of Bradley Drive as a public street null and void."

AYES:	Bacon, Dahlgren, Echols, Flint, Hamilton, Worthington	6
NOES:		0
ABSTENTIONS:		0